



**State of Utah**  
**Department of**  
**Natural Resources**

MICHAEL R. STYLER  
*Executive Director*

**Division of**  
**Oil, Gas & Mining**

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

**Representatives Present During the Inspection:**

Company	Kenneth S. Fleck	Manager of Geology and Environ
OGM	Karl Houskeeper	Environmental Scientist III

# Inspection Report

Permit Number:	C0150018
Inspection Type:	COMPLETE
Inspection Date:	Wednesday, September 17, 2008
Start Date/Time:	9/17/2008 8:00:00 AM
End Date/Time:	9/17/2008 2:30:00 PM
Last Inspection:	Wednesday, August 06, 2008

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 75 Deg. F.

InspectionID Report Number: 1769

Accepted by: jhelfric

10/7/2008

Permitee: **PACIFICORP**

Operator: **ENERGY WEST MINING CO**

Site: **DEER CREEK MINE**

Address: **PO BOX 310, HUNTINGTON UT 84528**

County: **EMERY**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

**Current Acreages**

19,722.21	<b>Total Permitted</b>
98.05	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

**Mineral Ownership**

- ☒ Federal  
☒ State  
☐ County  
☒ Fee  
☐ Other

**Types of Operations**

- ☒ Underground  
☐ Surface  
☐ Loadout  
☐ Processing  
☐ Reprocessing

**Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:**

**Permit Conditions:**

(1) Underground flows of 5 gpm from roof will be monitored for baseline parameters. Division to be notified 24 hrs prior to monitoring.

(2) Submit water quality data for the Deer Creek Mine in an electronic format through the EDI web site.

(3) No mining on Federal Lease UTU-87285 until approved by Assistant Secretary of Lands & Minerals. Approved by Secretary on October 11, 2006

The 2007 Annual Report was reviewed in conjunction with this complete inspection. A copy of the review will be attached to a hard copy of this inspection report.

**Inspector's Signature:**

**Date** Wednesday, September 17, 2008

Karl Houskeeper, Environmental Scientist III

Inspector ID Number: 49

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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# Inspection Continuation Sheet

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## REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**1. Permits, Change, Transfer, Renewal, Sale**

The current DOGM permit C/015/0018 was issued effective 02/07/2006 and expires 02/07/2011.

-Certificate of Insurance policy number X0720A1A08, issued 08/28/2008 and terminates 08/28/2009.

-UPDES permit # UT0023604 effective 12/01/2007 and expires @ midnight 11/30/2012.

-Air Quality permit DAQE-AN0239003-02, issued June 14, 2002.

-SPCC Plan dated 02/27/04. The Plan is P.E. certified, stamped, signed and dated by a Utah P.E.

**2. Signs and Markers**

The ID signs contained the necessary information.

**3. Topsoil**

Additional material has been placed on the topsoil pile in Rilda Canyon from the new sediment pond construction. The material stills needs to be seeded.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

**4.c Hydrologic Balance: Other Sediment Control Measures**

The sediment ponds were inspected on 6/25/2008 and P.E. certified.

**4.d Hydrologic Balance: Water Monitoring**

Second quarter 2008 water monitoring information is in the EDI website but has not been uploaded. Water monitoring is current.

**4.e Hydrologic Balance: Effluent Limitations**

The May, June and July 2008 discharge monitoring reports were reviewed. No parameters were exceeded.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The second quarter 2008 refuse pile inspections were done on June 24, 2008 and P.E. certified.

**20. Air Quality Permit**

Approval order AN0239003-02 was issued on 06/14/2002 and remains in effect.

**21. Bonding and Insurance**

The bond is set at \$4,113,000. It includes the new Rilda Facilities. There are 19,722.21 permitted acres of which 98.05 are disturbed acres.

## 2007 Annual Report Review

**Permittee:** PacifiCorp  
**Mine Name:** Deer Creek  
**Permit Number:** C/015/0018  
**Date Report Received:** September 2, 2008

**Assigned Reviewer:** Karl Houskeeper  
**Date Completed:** September 15, 2008

**Instructions:** The assigned inspector will review the Annual report during the third quarter complete inspection and provide a written determination (finding) on how the mine has or has not met the permit requirements for reporting. If the report is deficient or remedial action is required to obtain compliance, this should be noted and the mine lead notified. A copy of this review will be filed with the Inspection Report. Should any of the sections require additional technical analysis, the inspector will notify the permit supervisor so that it can be scheduled during the 4<sup>th</sup> quarter.

### SECTIONS TO REVIEW

**SUBMITTED**  
 YES NO NA

### FINDINGS

Cover Sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
General Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Identification of other Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Annual Impoundment Certification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P.E. Certified reports for all four quarters of 2007 are contained in the 2007 annual report.
Annual Overburden, Spoil, Refuse, Floor, etc. Certified Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P.E. Certified reports for all four quarters of 2007 are contained in the 2007 annual report.

Annual Technical Requirements (Commitments)				
Climatological	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Subsidence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Subsidence information had not been received at the time of the Division review of the 2007 Annual Report. The permittee had requested an extension to resolve some problems with the reopert.
Vegetation monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vegetation monitoring was done on the reference areas for the Deer Creek Mine in the Riparian, Saltbrush, Pinyon-Juniper and Mixed Conifer reference areas. A Division Biologist needs to review the report.
Raptor Survey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The cover sheet for the 2007 annual report indicates that a raptor report was submitted, but has been marked confidential. Confidential information is not available at the Price Field Office, but is maintained in Salt Lake. A review of the map was not possible by the assigned inspector. A Division Biologist needs to review the report.
Soils Monitoring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water monitoring information was submitted under a separate volume as part of the 2007 Annual Report. A Division Hydrologist needs to review the report.
Geological/Geophysical	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Engineering	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Non-Coal Waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Abandoned Underground Equipment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

## 2007 Annual Report Review

AVS; Legal/ Financial Update	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A copy of an amendment (May 22, 2008) to update the Legal and Financial information is included in the 2007 Annual Report.
Mine Sequence Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The cover sheet for the 2007 annual report indicates that a mine map was submitted, but has been marked confidential. Confidential information is not available at the Price Field Office, but is maintained in Salt Lake. A review of the map was not possible by the assigned inspector.
Other Information	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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